

CITY WILL FIGHT FOR WATER SUPPLY

Council Authorizes Employment of Special Counsel to Assist Judge Hiles.

CLAIM INJUNCTION IS WITHOUT ANY MERIT

Engineer Kelsey Explains to Councilmen Legal Status of Water Rights.

The City Council held a special session yesterday afternoon to discuss the injunction suit brought by the Progress company to enjoin the diversion of water through the new Big Cottonwood conduit. The upshot of the discussion was that Mayor Thompson, City Attorney Hiles and the Waterworks committee of the Council were authorized to employ special counsel to assist the city. The hearing on the temporary restraining order will come up Tuesday before Judge Hiles in the District court, and the special counsel will be engaged before then, if at all. Councilman Martin E. Mulvey at first introduced a resolution authorizing City Attorney Hiles to employ Franklin S. Richards as special counsel for the city and to fix his compensation. Mr. Richards was employed by the Morris administration in the preliminary legal work connected with the conduit, and it is claimed, is very familiar with the legal and financial status of the Progress company. After some discussion, however, it was decided to refer the matter of special counsel to the officials and the committee mentioned.

At the request of the Council, City Engineer L. C. Kelsey explained the legal status of the Progress company's claim. He pointed out that the city had purchased the Knudson-Bagley right, and that the three rights claimed by the Progress company are both above and below the Knudson-Bagley right. Mr. Kelsey said that the city did not concede that the Progress company were entitled to any rights on Big Cottonwood creek at all. Their rights, if they have any rights, were on Spring Creek, a tributary of Big Cottonwood, he declared.

In this connection Mr. Kelsey pointed out that in 1902 the Progress company had offered to sell all of its rights to the city. In that offer, he declared, nothing had been mentioned about rights on Big Cottonwood creek, but only on Spring Creek. This offer, he asserted, was on file in the archives of the city. The Progress company, Mr. Kelsey said, had ostensibly succeeded in rights represented in 1898. These rights, he said, were used so long as the old Hanger smelter was in operation, but had been abandoned for several years thereafter. He expressed doubt as to whether they had been taken up again within the seven years allowed by law. He asserted, moreover, that the company made a subsequent filing for irrigation purposes, which, he declared, was not sufficient. Councilman Fernstrom also pointed out that the city, under the Morris administration, had made a filing in the waters of the creek prior to the time that the Progress company started to build its power plant.

Mr. Kelsey declared that the Progress company has a sufficiency of water for all its purposes, and that the city by using the waters of Big Cottonwood in the conduit is depriving the company of nothing to which it is legally entitled. The sentiment of all the Councilmen present was that the city should contest the suit of the Progress company to a finish. During the debate on the matter Councilman C. J. Crabtree declared that, in his judgment, the case should be transferred from Judge Morse's court to some other district judge, and, while no action was taken on this suggestion, there is considerable feeling among officials against Judge Morse's attitude in the matter.

CONSISTENTLY ADHERING

to legitimate banking, confining its loans to real estate, mortgages and approved collateral security, the Utah Savings and Trust company, located in the heart of the business district, at No. 160 Main street, continues to offer to the public the advantage of its ever-increasing facilities and experience, developed and perfected by years of successful service to its customers. Banking and trust business of every nature. Abstracts, accurate and backed by abundant assets, furnished promptly. Surety bonds written without delay.

Four per cent on savings.

The opportunity of a lifetime—Salt Lake-Ely at 50 cents.

See the superb "Anderson" piano before buying "N. Y. and Western" piano company, 52 Market street, near postoffice.

New Wall Papers in. Don't wait for the rush. Phone us today. W. A. DUVALL, 110 West Second South.

Fifty Dollars Reward For return of three rugs, watch, chain, locket and pin taken from 14 Emery flats night of January 5. No questions.

McCoy's Stables. Carriages and light lively. Phone 31.

Good square piano, \$40; easy payments. N. Y. and Western Piano company, 52 Market street, near postoffice.

Buy Salt Lake-Ely stock now. Best money stock buy on market. 50 cents.

MUNICIPAL LEAGUE FULLY ORGANIZED

Harmonious Proceedings and a Full Set of Officers Elected on Saturday.

The Municipal League finished its work on Saturday forenoon. This was the first municipal convention held in State. Seventeen of the principal cities in Utah outside of Salt Lake, responded to the call of Mayor E. W. Robinson to meet and form a State municipal league. The convention opened Friday afternoon, at which time the necessary committees were appointed to form a permanent organization, and draft a constitution.

At the afternoon session, on Saturday, the reports and recommendations of the committees were adopted, and the convention was placed upon a permanent foundation. All the mayors of the cities in the State, who participated in the proceedings, expressed themselves as highly pleased with the work of the convention. The plan of the league contemplates the betterment of municipal conditions and government throughout the State.

At the closing session Saturday morning, State Engineer Caleb Tanner, delivered an interesting, and to Salt Lake, a most gratifying address on "Water Supplies of the State." It was not only interesting, but to the convention, profitable. In the course of his remarks, he said that but one city in the State could figure out deficits in the amount of water it can handle and when it could get an increase in its supply. Salt Lake is the only city in the State that can do this. A short time ago, he said, he had a request from the government as to the amount of water of the cities of this State and Salt Lake alone of all the cities in Utah could furnish the necessary information on this subject. The State Engineer, in his address, spoke very highly of the business men of Salt Lake, and their interest in securing its great water supply and in handling it along scientific business lines.

The address was an eye-opener to many of those present, and some of the remarks concluded that all the departments in the city are as well governed as the water department, that Salt Lake certainly was in no great need of a radical change in its municipal government.

F. H. H. of Springfield, delivered an excellent and well considered address on "Municipal Ownership of Public Utilities," which was the subject of an interesting discussion, which was participated in by Mayor Christensen and H. H. H. of Springfield. The league started as a well organized and well officered. Their names follow: President, E. W. Robinson of Logan; First Vice President, E. M. Conroy of Ogden; Second Vice President, H. H. H. of Springfield; Secretary and Treasurer, Thomas McMaster of Bingham.

ROYAL D. AMY DEAD

A Close Friend of Count Creighton—Father of Mrs. Husbands.

The death of Royal D. Amy at Council Bluffs, last Friday week, brought to a close a busy and useful life, marked the passing of a pioneer of the plains, and was part of a coincidence which has been noted by many. Mr. Amy died but a day after his life-long friend, Count John A. Creighton, with whom he was associated in business since 1847, besides being the closest possible friend of the head count.

Mr. Amy was a resident of Council Bluffs for sixty years, watching the city grow from a molding little place to a thriving city. He was a prominent factor in its development, and, in the early days, was chief of the volunteer fire department. He was engaged in the wholesale and retail hardware business, and was active until the breakdown in his health seven months ago.

The curious coincidence of the death of the two old friends, Count Creighton and Mr. Amy, is considered a remarkable one by the many friends of the two men, who recall their intimate and close companionship throughout a half century. Mr. Amy was the father of Mrs. Husbands of Salt Lake City, and is survived by a wife, another daughter, two sons, and a sister.

Interment took place in Fairview cemetery.

TO THE WOMAN

who does not know "L'Inresistible" or the "Gossard" front laced corset—the woman who appreciates elegance and beauty, cultivates grace, cherishes health, understands comfort and seeks contentment, will find all these and experience the utmost satisfaction in her "L'Inresistible" or in her "Gossard."

THE CHARLTON SHOP

BAKER STRUCK BY TRAIN

E. G. Solomon Has Collar Bone Broken And Is Otherwise Injured.

E. G. Solomon, a baker of 550 West Third North street, was struck by a passenger train at the Oregon Short Line crossing at Fourth West street yesterday morning. His collar bone was broken and he was otherwise cut and bruised about the head and body.

Solomon was driving his baker's wagon at the time, and a long string of empty freight cars prevented him from seeing the passenger train, which was backing in at the time. When he was struck Solomon fell between his wagon and the train, and was dragged for several feet. Solomon declares he heard no whistle or other warning, but employees of the company assert that a whistle was sounded. Solomon narrowly escaped death.

EMPLOYEES R. G. W. SHOPS QUIT WORK

About Two Hundred Refused to Go to Labor Saturday Morning.

OFFICIALS DO NOT ANTICIPATE TROUBLE

Eight-Hour Day Has Been Inaugurated, and Men Are Dissatisfied.

A large number of men in the Rio Grande shops did not work Saturday, and some fifteen employees drew their time and have left the service. Rumors of a strike were current, but E. G. Harkins, master mechanic, stated that he did not anticipate any trouble, and presumed the men could return to work Monday. General Superintendent Welby left for Eureka Saturday night, and Superintendent Gieger was absent from the city, so the views of these officials could not be obtained relative to the situation.

Mr. Harkins explained to a Tribune representative that on Friday afternoon a meeting was made to the men that in future the day's work would be one of eight hours. During the winter the men have been working nine hours per day, drawing 75 cents per hour. The reduction of hours means, of course, a reduction in wage of \$2.20 per week. The men have also been working overtime, and have been paid time and a half. The employees have an agreement with the company for a forty-eight-hour week; this is the minimum, and the new management brings them to this limit.

Mr. Harkins was asked why the hours were reduced, but he could not explain, stating that it was the "order of the management." When the men reported for work Saturday morning they were given to understand that they had only half a day's work. They had worked only and including Thursday nine hours per day; on Friday they worked eight hours, making a total of forty-four hours, with four hours' work to make the forty-eight hours.

Many of the men objected to this arrangement; they did not desire to work a half day only, and they seemed to resent the change in the hours, and refused to go to work. Mr. Harkins claimed he could not estimate how many men refused to work, but it is believed the number was in the neighborhood of 200.

A committee representing the men waited upon Mr. Harkins in the morning and conferred with him on the situation.

An effort was made to confer with some of the representatives of the employees by The Tribune, but they could not be located.

The belief is general, however, that the men will be at their accustomed places Monday.

Buy Salt Lake-Ely stock now. Company owns 280 acres of ground on great monzonite porphyry zone. Mine improving wonderfully under development. Block of 25,000 shares treasury stock for sale at 50 cents. W. W. Byrne, Manager, Kenyon hotel.

AMERICAN CLUB MEETING

Frank R. Christensen Will Discuss Galveston Idea Tuesday Night.

Frank R. Christensen, secretary of the Board of Public Works, will address the American club Tuesday night of this week on the subject, "Is the Galveston plan a good one?" The subject is one of the most important of the day. Mr. Christensen will discuss the Galveston plan, and would its adoption be a benefit to Salt Lake City? The meeting will be held in the clubrooms in the Atlas block, at 8 o'clock Tuesday evening.

Mr. Christensen's talk will be the second of a series of addresses to be delivered before the club on current and live topics. The first was delivered about ten days ago by Judge Ogden, on the subject of "The Galveston plan." Mr. Christensen will deliver talks in the future will be Senator Frank J. Cannon, Judge A. J. Weber, Allan T. Sanford, George M. Sullivan, Mayor Ezra Thompson, City Recorder B. M. Morgan, B. H. Heywood, Judge J. A. Street, Judge A. N. Cherry and others.

Membership in the American club is open to any male American voter, and application blanks will be furnished by the secretary, whose office is in the Atlas block. A smoker will be held in the near future. The club is in a good condition financially, and the members are enthusiastic.

TO THE WOMAN

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THE CHARLTON SHOP

NEW CANDY CONCERN

It Is Incorporated and Will Start Manufacturing in Salt Lake.

The Sparks Candy company, organized to establish and operate a candy factory in Salt Lake, filed its articles of incorporation with the County Clerk yesterday. The capital stock of the company is \$50,000, divided into shares of the par value of \$100 each, and one-half the stock has been subscribed.

The officers of the company are: President and manager, E. H. Sparks, Jr., of Provo; vice-president, B. H. Sparks of Nephi; secretary and treasurer, George Edwards of Lindsay of Salt Lake. These, with B. F. Luke of Orangeville, Arnold Schanks of Salt Lake and H. T. Reynolds of Springfield, compose the board of directors. The other incorporators are: W. H. Sparks, Edna G. Jensen and E. W. Nielsen, all of Nephi; Sven O. Nielsen of Fairview and Brigham Lindsay, Teddy Linford and W. D. Walker, all of Salt Lake.

The company has leased quarters at 231 and 233 South West Temple street, and the factory, it is announced, will be in operation by March 1. The company expects to employ from 150 to 200 persons.

Salt Lake Photo Supply Co. Kodaks, Enshing, framing, 142 Main st.

CITY AND NEIGHBORHOOD

Judge Ritchie yesterday gave the Dearest National bank judgment against F. Hight et al. for \$266.96 on a promissory note.

Judge C. W. Morse of the District court will hold court at Coalville, the county seat Sunday, for the purpose of returning to Salt Lake Tuesday morning. He will set equity cases for trial here Tuesday.

Rev. Dr. Gwynne, who was called to the Westminster Presbyterian church in this city, has concluded to remain in Butte, where he has charge of one of the West Presbyterian congregations in that city.

Emyr Eynon petitioned the District court yesterday for letters of administration on the estate of Mary Ann Ricketts, who died in Salt Lake December 17, 1906, leaving an estate consisting of \$500 in cash.

The New Red Wing Mining company brought suit in the District court yesterday against Jerome Bourgard et al. to quiet title to the Ardella mining claim in the West Mountain mining district, in this county.

Judge Morse yesterday overruled defendant's demurrer in the divorce case of Harry B. Windsor vs. Lulu Mayne Windsor. Mrs. Windsor was given thirty days to answer her husband's complaint, which accuses her of desertion.

Blanch Boden brought suit in the District court yesterday against Clarence Boden, a railroad man employed by the Salt Lake and Elwood East street, while he was non-support. They were married here on September 15, 1906.

Max M. Aaron was given a judgment for \$3,160.93 in the District court yesterday. Plaintiff sued for damages for alleged eviction from premises owned by Aaron, leased from the defendant, and charged that he was evicted before his lease expired.

The 91 of the Utah Light and Railway company hit a wagon belonging to the American Linen company in front of the Federal building shortly before noon yesterday. The horse and the wagon were thrown across the street and the horse wandered across the street car track just as the car was being driven down the street. No one was injured.

Max Florence, proprietor of the Lyric bar, was found guilty of violating the John liquor ordinance, Judge Diehl yesterday. On motion of counsel for the defendant, a stay of five days was granted. Attorney Soren K. Christensen stated that he would appeal from the decision of Judge Diehl.

Judge Lewis yesterday signed a decree evicting seventeen Austrians from the property of the Bingham Central Mining company in Bingham canyon. The Austrians leased the land from the company for a forty-eight-hour week; this is the minimum, and the new management brings them to this limit.

Warren R. Tyler, aged 15 years, brought suit in the District court yesterday against the Utah Light and Railway company for \$300 damages for alleged personal injuries. He alleges that on May 5, 1906, he was crowded off a car at Twelfth and Eleventh East streets, while he was standing on the platform, and that the car ran over his left leg, crushing it and inflicting permanent injuries.

John Douglas and Charles Hill were arrested yesterday morning on the charge of robbery. Dougherty was taken in custody by Patrolman Staines. Hill was released by Sheriff Hoppel and placed in Clough. According to the statement made to the police by Gust Sarukos, a Greek who was a witness, the two men arrested held him up and robbed him of \$5 just as he left his place of business, the Star hotel, and were about to leave.

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ENGINEER MAKES FINE SHOWING

Louis C. Kelsey Presents His First Annual Report to Mayor Thompson.

SHOWS GREAT SAVING OVER PRECEDING YEAR

Did Nearly Double the Work of His Predecessor, at a Less Cost.

The annual report of City Engineer Louis C. Kelsey for 1906, which was filed with Mayor Ezra Thompson yesterday, furnishes another example of the economical and efficient methods of transacting city business, which have been introduced and followed by American party officials. This is shown strikingly in the report on the work done by the office during the year and the cost thereof, as compared with similar figures for the Morris administration for the preceding year.

The cost of operating Mr. Kelsey's office for the year was \$65,030.91, as compared with \$65,943.64 for the preceding year, a saving by Mr. Kelsey of \$912.73. The work done by Mr. Kelsey's office during the year amounted to nearly twice as much as that done by the same office during the last year of the Morris administration. It was \$865,577.95, as against \$441,651.46, an increase of \$423,926.49.

Under Mr. Kelsey's regime the cost of engineering upon contract work has been 3.45 per cent of the total cost of the work, as compared with 4.15 per cent during the last year of the Morris administration. It was 8.55 per cent of the total cost of the work.

New Public Improvements.

Mr. Kelsey's report shows the following comparative statement of public improvements for 1905 and 1906:

| | 1905. | 1906. |
|---|--------------|--------------|
| Watermain extensions | \$21,182.69 | \$67,691.52 |
| Sewer extensions | 35,160.93 | 66,504.18 |
| Sidewalk extensions | 105,935.08 | 126,105.52 |
| Street pavements | 165,127.28 | 123,789.42 |
| B. I. G. Cottonwood conduit | 32,359.17 | 318,709.85 |
| Highway bridge | 17,293.42 | 54,042.29 |
| Jordan & S. L. City curb and gutter | 3,408.52 | 5,961.42 |
| Miscellaneous | 673.77 | 26,184.80 |
| Total amount expended on above improvements during the year | \$441,651.46 | \$865,577.95 |

Distribution of Cost.

Mr. Kelsey makes the following comparative statement of the distribution of cost for the various improvements during the two years:

| | 1905. | 1906. |
|--------------------|--------------|--------------|
| Contract work | \$395,221.04 | \$812,447.48 |
| Labor and vouchers | 146,350.42 | 51,255.33 |
| Engineering | 35,011.59 | 27,998.32 |
| Inspection | 6,906.75 | 11,724.18 |
| Surveying | 4,517.78 | 4,717.58 |
| Miscellaneous | 2,813.47 | 2,813.47 |
| Totals | \$441,651.46 | \$865,577.95 |

Improvements for Thirteen Years.

The following table is presented of the cost of city improvements each year for the past thirteen years:

| Year. | Amount. |
|-------|--------------|
| 1894 | \$174,448.88 |
| 1895 | 55,991.10 |
| 1896 | 51,255.33 |
| 1897 | 62,000.00 |
| 1898 | 11,237.76 |
| 1899 | 5,489.30 |
| 1900 | 146,350.42 |
| 1901 | 115,853.61 |
| 1902 | 342,993.99 |
| 1903 | 127,338.58 |
| 1904 | 124,876.90 |
| 1905 | 441,651.46 |
| 1906 | 865,577.95 |

Contemplated Improvements.

Mr. Kelsey makes the following statement of contemplated improvements on February 1, 1907:

| | |
|--------------------|----------------|
| Asphalt pavement | \$403,000.00 |
| Macadam pavement | 472,000.00 |
| Curb and gutter | 22,000.00 |
| Sidewalks | 100,000.00 |
| Watermains | 247,000.00 |
| Sewer | 245,000.00 |
| Intercepting sewer | 227,000.00 |
| Band Stand | 5,000.00 |
| Total | \$2,281,000.00 |

Cost of Sewer System.

Mr. Kelsey presents the following figures showing the cost of the present city sewer system from 1889 to 1907:

| | |
|--------------------------|----------------|
| Gravity outlet sewer | \$463,874.90 |
| Pumping plant and outlet | 95,232.54 |
| Mains | 100,993.42 |
| Laterals | 459,833.57 |
| Total | \$1,099,934.73 |

Length of Street Paving.

Following is a statement of the length of street paving in Salt Lake, as made in the report: